

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CAROLYN A. GRAY,

Plaintiff,

-against-

LOCAL UNION 1199,
COLUMBIA PRESBYTERIAN MEDICAL CTR.,
AND NEW YORK PRESBYTERIAN OF
COLUMBIA AND CORNELL,

Defendants.
-----X

**NOTICE OF MOTION TO
DISMISS OR, IN THE
ALTERNATIVE, FOR
SUMMARY JUDGMENT**

07-CV-3238 (AKH) (GWG)

ECF Case

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Affidavit of Joycelyn Neil, Affirmation of César F. Rosado, Rule 56.1 Statement and other accompanying documents, Defendants 1199SEIU United Healthcare Workers East (“1199SEIU” or “Union”), incorrectly referenced above as “Local Union 1199,” by their undersigned attorneys, moves this Court before the Hon. Alvin K. Hellerstein, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (“FRCP”) dismissing the complaint for being time-barred, or, in the alternative, for summary judgment dismissing the complaint pursuant to Rule 56 (c) of the FRCP for being untimely, and for such other relief as the Court deems just and proper.

Plaintiff must serve any opposing affidavits and answering memoranda by June 21, 2007.

Dated: New York, New York
June 4, 2007

LEVY RATNER, P.C.

By: 

César F. Rosado (CR3813)
Attorneys for 1199SEIU
United Healthcare Workers East
80 Eighth Avenue, 8th Floor
New York, New York 10011-5126
(212) 627-8100

TO: Carolyn A. Gray
Plaintiff *pro se*
2360 First Ave., Apt. 16H
New York, NY 10035

James Williams, Esq.
Epstein, Becker & Green, P.C.
250 Park Avenue
New York, NY 10177-1211
Attorneys for Defendant
New York Presbyterian Hospital